

FISCAL NOTE

HB 1368

March 27, 2007

SUMMARY OF BILL: Authorizes defendant in a civil action to transfer an award of punitive damages over \$1,000,000 against the defendant to the State Board of Claims for distribution to other plaintiffs with the same or similar claims. Any funds not distributed after five years revert back to the general fund.

ESTIMATED FISCAL IMPACT:


Increase State Expenditures – Exceeds \$100,000

Assumptions:

- According to the Administrative Office of the Courts the average jury award was \$503,954 for FY05-06 and \$337,496 for FY04-05. It is estimated that punitive damage awards exceeding \$1,000,000 will occur at least once per year.
- The State Board of Claims will require additional positions and supporting resources to administer the provisions of this bill, including determining allocation of punitive damage awards among other potential plaintiffs. These costs are estimated to exceed \$100,000 per year.
- No significant fiscal impact on the state court system or to local courts.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director